THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.26123 OF 2005

Dated: 07-12-2005

Between

Sk. Lal Bahadur, s/o. Peda Madar Sahab, Occ: Government Employee, R/o. 2-4-156, Near Mamatha Medical College, Khammam.

…PETITIONER

AND

The District Collector, Khammam District and others.

…RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the inaction of the respondent Nos.2 and 3 in taking action on his representation dated 30.07.2005 and also action of the respondents in taking steps to assign the passage land to third parties which is situated towards northern side of his land in Sy.No.88/C at Pakabanda Village, Khammam Urban Mandal, Khammam District as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner is the original owner of the land admeasuring Ac.0.25 guntas in Sy.No.88/C situated in Khammam Urban Mandal, Khammam District having purchased the same through registered sale deed No.1995 of 2001 dated 30.03.2001. It is further submitted that there is a passage to the said land on the northern side and except the said passage there is no access to the petitioner's land. As the officials obstructed the petitioner and others from using the said passage, the petitioner filed a representation dated 30.07.2005 to the respondents 2 and 3 requesting them not to

obstruct them from using the passage.

It is stated that without considering and disposing the said representation the respondents are making an attempt the assign the said passage land to third parties.

Without expressing any opinion on the merits of the case, the respondents 2 and 3 are directed to consider and dispose of the said representation of the petitioner, if any received and pending before them and till then the said passage may not be assigned to the third parties.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

December 7, 2005

Note: Furnish C.C. of the order in three days

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